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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JESSICA GONZALEZ,

Plaintiff,

v.

LAS VEGAS METROPOLITAN
POLICE DEPARTMENT, et al.,

Defendants.

2:09-CV-381 JCM (PAL)

ORDER

Presently before the court is plaintiff Jessica Gonzalez's motion for reinstatement of proceedings in the trial court. (Doc. #49). The defendant responded (doc. #50), and the plaintiff replied (doc. #52). Also before the court is defendant Las Vegas Metropolitan Police Department's (LVMPD) motion to stay proceedings pending appeal. (Doc. #51). The plaintiff responded (doc. #53), and the defendant replied (doc. #54). The plaintiff also filed a sur-reply. (Doc. #55).

This case arises from a traffic stop, during which the plaintiff alleges, inter alia, that the arresting officer and certain state governmental bodies violated her civil rights. On January 27, 2010, this court granted in part defendant's motion for summary judgment, but denied defendant Officer Cragin's defense of qualified immunity. (Doc. #38). Officer Cragin then exercised his right to appeal the order denying qualified immunity pursuant to *Mitchell v. Forsyth*, 472 U.S. 511 (1985). The plaintiff now requests that the court continue the case against defendant LVMPD and as to the unappealed claims against Officer Cragin (doc. #49), while defendant LVMPD requests a stay of the entire case pending resolution of the appeal. (Doc. #51).

1 This court agrees with defendant LVMPD that the case should not continue in a piecemeal
2 fashion and grants defendant's motion for stay pending appeal.

3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion for
5 reinstatement of proceedings in trial court (doc. #49) is DENIED.

6 IT IS FURTHER ORDERED that defendant's motion to stay the proceedings pending appeal
7 (doc. #51) is GRANTED. The case is hereby stayed pending resolution of the appeal.

8 DATED November 24, 2010.

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11 UNITED STATES DISTRICT JUDGE
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